

STANDARD FORM NO. 64

Legislation
Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. George Wilson
FROM : Walter L. Pforzheimer
SUBJECT:

DATE: 13 January

Dear George:

Enclosed herewith are copies of the letters of the Comptroller General and the Assistant to the Attorney General to the Director of the Bureau of the Budget in support of proposed CIA legislation last winter. This is substantially the same legislation which we gave you yesterday. The pertinent part of the Comptroller General's letter starts with the last sentence at the bottom of page 4.

I am enclosing herewith a revised Section 6(g) which the State Department have concurred in as preferable to the text in Section 6(g) which we gave you yesterday. If you will scratch out the old Section 6(g) and substitute this attachment, you will have the bill as I believe it will come out of the Bureau of the Budget.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. W. L. Pforzheimer

DATE: 12 January 1949

FROM : [REDACTED]

SUBJECT: Section 5 (A-6) of Proposed Bill For Administration of CIA

1. Subject section of the proposed bill of CIA provides that the Agency shall:

"Pay the cost of preparation and transportation to their former home in the continental United States or to a place no more distant, the remains of an officer or employee of the Agency who is a citizen of the United States and the members of his family who may die abroad or in travel status and the ordinary cost of interment."

2. A question has been raised by the [REDACTED] regarding the policy, procedure, and regulations to be followed in the case of death of a foreign national employed on [REDACTED]. The problem is not limited to [REDACTED] alone and in view of the general issues raised, the following comments are submitted for your consideration:

a. The basic statute in regard to the payment of preparation and transportation of the remains and effects of decedent United States overseas employees is the Act of July 8, 1940, Public No. 729, 76th Congress (5 USCA 103 a and b). The Act provides, in the case of employees performing official duties in a foreign country, that the head of the Agency is authorized under regulations prescribed by the President to pay from the available appropriation the "expense of preparing and transporting the remains" of an employee to his home or official station, or such other place as the head of the department concerned shall determine to be the appropriate place of interment. It further provides for the transportation expense of his dependents and states that the benefits shall not be denied even though the deceased employee was on temporary absence from duty at the time of death. Appropriate regulations implementing the act were issued by the President in Executive Order No. 8557. The Executive Order states in Part III, Section 5, that:

"When an employee dies while***on assignment to a post outside the United States, the head of the department concerned shall pay the expenses of preparing the remains of the decedent and of transporting the remains to the home or official station of the decedent or to such other place as the head of the department may designate as the appropriate place of interment, provided that in no case shall the expenses payable be greater than the amount which would have been payable had the place of interment been the home or official station, whichever shall be more distant."

6(g). Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations; PROVIDED, That the number of aliens and their immediate families entering the United States under the authority of this Section shall in no case exceed one hundred in any one calendar year.

UNCLASSIFIED	RESTRICTED	CONFIDENTIAL	SECRET
(SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)			
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP			

TO	INITIALS	DATE
1 Executive	[Signature]	12 Jan.
2 Deputy Director		11/12/49
3 Director		11/13/49
4 General Counsel		
5		
FROM		DATE
1 Assistant General Counsel		11 Jan.
2		
3		

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> INFORMATION	<input type="checkbox"/> SIGNATURE
<input type="checkbox"/> ACTION	<input type="checkbox"/> DIRECT REPLY	<input type="checkbox"/> RETURN
<input type="checkbox"/> COMMENT	<input type="checkbox"/> PREPARATION OF REPLY	<input type="checkbox"/> DISPATCH
<input type="checkbox"/> CONCURRENCE	<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> FILE

REMARKS: This is the revision of 6(g) of our Act regarding visas, which has been concurred in by the Department of State, and which eliminates all reference to consular officials, and therefore the necessity of coordination of the Department of State.

Walter L. Pforzheimer

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